ATTACHMENT 7

JOINT DECLARATION OF JAY M. BRADBURY
AND SHARON E. NORRIS

REDACTED
FOR PUBLIC INSPECTION

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Application of BellSouth Corporation,	)	
Pursuant to Section 271 of the	)	CC Docket No. 02-35
Telecommunications Act of 1934,	)	
To Provide In-Region, InterLATA Services	)	
In Georgia and Louisiana	)	

JOINT SUPPLEMENTAL DECLARATION

OF JAY M. BRADBURY

AND SHARON E. NORRIS

ON BEHALF OF AT&T CORP.

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ON BEHALF OF AT&T CORP.

1. My name is Jay M. Bradbury. I am currently employed by AT&T Corp. as a District Manager in the Law and Government Affairs Organization.

2. My name is Sharon E. Norris. I currently serve as a consultant with SEN Consulting.

3. As part of AT&T's opening comments in CC Docket No. 01-277, we each filed a Declaration with the Commission on October 19, 2001.[1] In addition, Mr. Bradbury submitted a Reply Declaration on November 13, 2001, as part of AT&T's reply comments in the same proceeding.[2]

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[1] *See* Declaration of Jay M. Bradbury filed October 19, 2001, in CC Docket No. 01-277 ("Bradbury Opening Decl."); Declaration of Sharon E. Norris filed October 19, 2001 in CC Docket No. 01-277 ("Norris Decl."). These declarations describe our respective work histories, current responsibilities, and educational backgrounds.

[2] *See* Reply Declaration of Jay M. Bradbury filed November 13, 2001, in CC Docket No. 01-277 ("Bradbury Reply Decl."). Ms. Norris also submitted a Joint Declaration, and a Joint Reply Declaration, with Cheryl Bursh in CC Docket No. 01-277 on behalf of AT&T regarding BellSouth's performance measurements, performance data, and performance penalty plans.

I. PURPOSE AND SUMMARY OF DECLARATION

4. The purpose of this Joint Declaration is to assess whether BellSouth provides nondiscriminatory access to its operations support systems ("OSS"), as required by the Telecommunications Act of 1996 ("the 1996 Act"). Despite the claims that it makes in its latest application – particularly the joint supplemental affidavit that it submits on OSS[3] – BellSouth remains short of meeting its OSS obligations.

5. Last December, BellSouth withdrew its first Section 271 application for Georgia and Louisiana because the record was clear that BellSouth was not in compliance with its OSS obligations. At the time the application was withdrawn, Chairman Powell stated that "questions remain regarding whether BellSouth has satisfied the rigorous requirements of the statute and our precedents" regarding the adequacy of BellSouth's OSS, including "its change management process and related issues."[4]

6. BellSouth's latest application provides what BellSouth characterizes as an "enhanced showing" that focuses on "four discrete aspects" of its OSS about which the Commission Staff expressed concern – integration, service order accuracy, change control, and the lack of equivalent access to due dates (which BellSouth describes as the "double FOC" problem). Application at 1, 6. Contrary to BellSouth's assertion, however, the "additional materials" that it provides do not "establish beyond legitimate dispute that BellSouth currently is

[3] *See* Supplemental Brief in Support of Application by BellSouth For Provision of In-Region, InterLATA Services in Georgia and Louisiana, filed February 14, 2001, at 2-4, 6-33 ("Application"); Joint Supplemental Affidavit of William N. Stacy, Alphonso J. Varner and Ken L. Ainsworth (""Stacy/Varner/Ainsworth Aff.").

[4] *See* Statement of Chairman Michael Powell on Withdrawal of BellSouth 271 Application, released December 20, 2001.

providing nondiscriminatory access and that it will continue to do so in the future." Application at 6. In each of the areas for which it has chosen to provide "additional materials," BellSouth still fails to meet its OSS obligations. In other areas not discussed in its latest application, BellSouth continues to deny parity of access to its OSS.[5]

7. As described in Part II, BellSouth still fails to provide nondiscriminatory access to pre-ordering functions. BellSouth, for example, still does not provide the parsing functionality necessary to achieve successful, reliable, and efficient integration with a reasonable expenditure of CLEC programming resources. Although BellSouth implemented a parsing functionality for CLECs on January 5, 2002, that functionality – by BellSouth's own admission – still contains a number of flaws and omissions that deny CLECs the same parsing capability that BellSouth has in its own retail operations. BellSouth also has still not shown, after previous unsuccessful attempts to fix its flawed due date calculator, that it provides CLECs with equivalent automated capability for accessing due dates.

8. As described in Part III, BellSouth continues to deny CLECs parity of access to ordering and provisioning functions. As before, BellSouth continues to rely excessively on manual processing of CLEC orders, denying CLECs the same fully automated ordering capabilities as its own retail operations. More than 20 percent of electronically-submitted CLEC

[5] These additional areas, which were discussed in the declarations that we previously submitted in response to BellSouth's previous application, will be discussed here only to the extent that there have been new factual developments (including new data) relevant to those issues since the submission of our prior declarations. We will not discuss the deficiencies in BellSouth's OSS, previously discussed in our previous declarations, that require no further elaboration. The latter include, for example, BellSouth's failure to provide an integratable interface for maintenance and repair, and BellSouth's failure to provide billing completion notices. *See* Bradbury Opening Decl., ¶¶ 148-150, 157-166.

orders fall out for manual processing due to BellSouth's system design or to errors in BellSouth's systems. In addition, by BellSouth's own admission, an additional 6 percent of CLEC orders must be submitted (and processed) manually.[6] This high rate of manual processing adversely affects the CLECs' ability to compete by delaying the return of status notices and the provisioning of service to CLECs' customers, increasing the likelihood of errors in provisioning, and lengthening the times taken by BellSouth's Local Carrier Service Center ("LCSC") to respond to CLECs' status inquiries. These adverse consequences cause a substantial increase in CLECs' costs, while denying them the efficiencies that would otherwise result from their investment in electronic interfaces.

9. BellSouth also renders deficient performance in the areas of service order accuracy and provisioning accuracy. BellSouth's claim that its service order accuracy rates have improved is entitled to no weight, particularly since it has recently -- and unilaterally -- changed its methodology for calculating such rates. Indeed, in its handling of AT&T's UNE-P orders, BellSouth's LCSC continues to make substantial errors in "inputting" manually processed local service requests ("LSRs") into its systems. Similarly, both the KPMG test in Florida and AT&T's experience in submitting UNE platform orders demonstrate that BellSouth is inaccurately provisioning a high percentage of orders.

10. As discussed in Part IV, BellSouth still has not established, or followed, an adequate change control procedure. Although BellSouth now has implemented (or promises to

[6] *See* Stacy/Varner/Ainsworth Aff., ¶ 102. BellSouth reports that approximately 10 percent of CLEC orders are submitted manually and that approximately 40 percent of those orders "could be placed electronically." *Id.* The remaining 60 percent of manually-submitted orders (*i.e.*, 6 percent of all orders) thus cannot be submitted electronically regardless of whether the CLECs would prefer to do so.

implement) a number of modifications in the change control process, none of these modifications removes the fundamental deficiencies in the CCP, including BellSouth's total control over the implementation and prioritization of changes, an inadequate test environment, and BellSouth's frequent disregard of the process in practice. Nor will the modifications reduce the substantial existing backlog of charge requests.

11. As discussed in Part V, BellSouth also has failed to show that its OSS is operationally ready to provide nondiscriminatory access. In the third-party testing of the BellSouth OSS in Florida that it is conducting as part of Florida Public Service Commission proceedings (FPSC Docket Nos. 960786-B-TL and 981834-TP), KPMG continues to find deficiencies in the OSS that deny parity of access. Moreover, because it has been required to repeat its volume testing of BellSouth's systems for "normal" volumes, KPMG has only begun to conduct "peak volume" testing of BellSouth's electronic systems (which BellSouth recently failed), and has not yet performed stress testing. For BellSouth's manual systems, to date KPMG has not conducted *any* of the "peak volume" and stress testing that are necessary to any determination of the capacity of BellSouth's OSS.

II. BELLSOUTH STILL DOES NOT PROVIDE NONDISCRIMINATORY ACCESS TO PRE-ORDERING FUNCTIONS.

12. BellSouth still does not provide nondiscriminatory access to its pre-ordering systems. Although it has implemented new "parsing" functionality since the withdrawal of its previous application, that functionality still does not give CLECs the same ability to fully integrate pre-ordering and ordering functions which BellSouth has in its own retail operations. Similarly,

BellSouth has not shown that it gives equivalent access to due dates, even after the recent improvements it claims to have implemented to its automated due date functionality.

A. BellSouth Still Fails To Provide Equivalent Parsing Functionality To CLECs.

13. The ability to "parse" pre-ordering data is critical to a CLEC's ability to integrate pre-ordering and ordering functions fully and successfully. Without that ability, a CLEC cannot electronically transfer data into the local service request and its own OSS if the data are strung together as a "stream" or block of data – as has been the case for data in the customer service record ("CSR") that CLECs access on BellSouth's pre-ordering interfaces. Instead, the CLEC must re-enter the information from the CSR *manually* into the LSR and its own OSS – a process that is more time-consuming, costly, and error-prone than automated population of data.

14. Because BellSouth's retail operations have the functionality to parse all CSR data and electrically transfer it into an order without manual intervention, CLECs are denied parity if they are denied equivalent capabilities. Bradbury Opening Decl., ¶¶ 27-41. Thus, the Commission has stated that "successful parsing is . . . a necessary component of successful integration." *Texas 271 Order*, ¶ 138.

1. BellSouth's Newly-Implemented Parsing Functionality Does Not Provide Parity of Access To CLECs.

15. BellSouth implemented a new parsing capability for CLECs on January 5, 2002. Stacy/Varner/Ainsworth Aff., ¶ 59. That implementation, however, occurred more than three years since CLECs first requested such functionality, and nearly two years after BellSouth agree to provide it. Bradbury Opening Decl., ¶ 32. In fact, BellSouth ultimately implemented the

capability only after it was ordered to do so by the Georgia Public Service Commission ("GPSC") last October. Bradbury Opening Decl., ¶ 37.[7]

16. More importantly, BellSouth's new parsing functionality has not been shown to provide parity to CLECs. As described below, problems remain with BellSouth's implementation of CSR parsing, including lack of stability in implementation, inadequate "workarounds" for identified defects, and failure to provide a fully fielded parsed CSR.

17. In order to be able to code their systems to the new parsed CSR functionality, CLECs needed to receive new pre-ordering business rules from BellSouth. The provisions of its change control process required BellSouth to provide these rules at least five

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[7] BellSouth was originally ordered to provide parsing by the Florida Public Service Commission ("FPSC") in an order dated June 28, 2001. In that order, the FPSC stated:

> We agree with AT&T that data should be parsed and should be available to AT&T at the same level BellSouth provides itself. In the interim, in order to accomplish parsing themselves, field delimiters and the related rules to apply those delimiters must be provided to the ALEC upon request.
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> * * *
>
> Reviewing the dates indicated above, it appears the implementation date for parsed CSRs has been delayed for reasons that are not adequately explained. As noted, the issue of parsing was first brought up in September 1998 and a year later was prioritized for implementation in 2000. In March 2000, the status of the parsing issue was significantly changed when it was changed from being targeted for actual implementation (April 20, 2000) to merely being studied (subteam being formed to perform planning and analysis). June 2000 saw parsing as the number one pre-ordering issue in the CCP, while in September and December 2000 the implementation dates were again moved back. We find these slippages are unreasonable.

See Order No. PSC-01-1402-FOF-TP, issued June 28, 2001, in FPSC Docket No. 00731-TP, *In re Petition by AT&T Communications of the Southern States for Arbitration of Certain Terms and Conditions of a Proposed Agreement With BellSouth Communications, Inc., Pursuant to 47 U.S.C. § 252,* pp. 117-119. BellSouth, however elected to ignore the FPSC's order (most likely because the order did not set a timetable for implementation).

weeks in advance of implementation of the CSR parsing functionality. Because the implementation was scheduled for January 5, 2002, BellSouth was required to provide the rules no later than December 1, 2001. However, BellSouth did not provide the rules until December 15, 2001. *See* Stacy/Varner/Ainsworth Aff., ¶ 74. Thus, CLECs had less than three weeks prior to actual implementation to code their systems and conduct testing of the new functionality to determine whether it was effective. Because of this delay, and the defects in the parsed CSR functionality acknowledged by BellSouth (discussed below), AT&T has not completed its development of the software needed to implement the new functionality.

18. BellSouth seeks to excuse the delay in the issuance of its pre-ordering rules by rationalizing that the "information included in the business rules issued on December 15 had already been provided to CLECs in earlier documentation," and that the new pre-ordering rules are largely a "restatement" of the BellSouth TAG/API Guide that BellSouth published on November 19, 2001. Stacy/Varner/Ainsworth Aff., ¶ 74. As BellSouth is well aware, these assertions are incorrect.

19. Prior to issuance of the pre-ordering rules on December 15, 2001, CLECs made clear to BellSouth – and BellSouth did not dispute – that the then-existing BellSouth documentation was inadequate to enable them to perform the necessary software coding. Thus, prior to December 15, CLECs repeatedly pressed BellSouth to advise them when the

documentation would be issued and submitted numerous questions to BellSouth about the new functionality.[8]

20. Furthermore, the TAG/API Guide published on November 19, 2001 did not contain the specifications that CLECs needed to code their systems to reflect the new parsed CSR functionality. As AT&T pointed out to BellSouth after receiving the Guide, the document did not even contain fields that BellSouth had previously defined as required, or define how various lists of information on the CSR (such as telephone numbers and listed names) were related.[9] Indeed, it would have been illogical for BellSouth to issue the December 15 pre-ordering rules *at all* if BellSouth truly believed that its existing documentation gave CLECs the information that they needed. Throughout this period, however, BellSouth never disputed the CLECs' need for such rules.

21. In any event, experience since the implementation of the new parsed CSR functionality shows that it is defective. In the first place, the implementation of the CSR parsing functionality has not been stable. BellSouth has published nearly two dozen "defect" change requests for the new functionality since it was implemented. Stacy/Varner/Ainsworth Aff., ¶ 74. Although BellSouth describes these defects as "low impact" (*id.*), in fact such defects severely

[8] *See, e.g.*, Stacy/Varner/Ainsworth Aff., Exh. SVA-74 at 2, 4 (minutes of December 10, 2001, CCP meeting); electronic mail message from BellSouth to Bernadette Seigler (AT&T), dated December 10, 2001 (attached hereto as Attachment 1) (responding to AT&T's inquiry as to when pre-ordering rules would be provided); "Parsed CSR Queries," dated December 13, 2001 (attached hereto as Attachment 2) (listing questions asked by CLECs about new parsing functionality through December 13, 2001).

[9] *See* electronic mail message from Bernadette Seigler (AT&T) to BellSouth Change Control Manager, dated November 20, 2001 (attached hereto as Attachment 3); electronic mail message from Bernadette Seigler to BellSouth Change Control Manager, dated November 19, 2001 (attached hereto as Attachment 4).

impair a CLEC's ability to use the parsed CSR information. The defects include incorrect information for key fields associated with the service address, directory listings, directory delivery, and services and features. Any LSRs using such information would be rejected. Moreover, as implemented, the parsed CSR functionality was unable to provide a response message to the CLEC that its query for parsed CSR data had been successful. Without these capabilities, CLECs could not achieve the same degree of efficiency and effectiveness in generating customer orders that is currently available to BellSouth.

22. BellSouth's own conduct belies its characterization of these defects as "low impact." Although BellSouth had up to 120 days to correct these defects under the Change Control Process because it had classified them as "low-impact," it claims to have already corrected 16 defects within weeks after they were discovered, and will purportedly correct the 7 remaining defects by March 24, 2002 – well before the end of the 120-day period. The fact that BellSouth implemented these corrections on an expedited basis – using resources that BellSouth could have otherwise devoted to fixing other, indisputably serious problems in its OSS – plainly reflects a recognition by BellSouth that the defects were not "minor" or "low-impact."

23. BellSouth also contends that the defects in the parsed CSR functionality "all have simple workarounds associated with them and should not have any impact on any CLEC actually desiring to use this capability." *Id.*, ¶ 67. That is incorrect. The workarounds for these supposedly "low impact" defects place a significant burden on CLECs. Each workaround requires the CLEC to manually determine whether the CSR it has retrieved is impacted by the defect (because, if the CLEC does not do so, its order may be rejected). If it determines that the CSR impacted by the defect, the CLEC must then manually determine the correct information and

input it (again, manually) into the LSR. A table describing the workarounds for the seven defects in the parsed CSR functionality that, by BellSouth's own admission, have not been implemented is attached hereto as Attachment 5. Requiring the CLECs to perform these burdensome workarounds is plainly a denial of parity, since BellSouth's retail operations are not required to perform them in order to auto-populate CSR information on an LSR.

24. BellSouth contends that it corrected 16 of the defects by February 4, 2002, and has scheduled implementation of corrections to the seven remaining defects for its March 24, 2002, release. Stacy/Varner/Ainsworth Aff., ¶ 67. It is premature; however, to assume that even the corrections to the 16 defects are in fact effective, since scarcely more than three weeks have passed since the last of them were implemented.

25. Moreover, the seven defects yet to be implemented all involve directory listings and directory delivery – which are critical information to a CLEC, notwithstanding BellSouth's characterization of them as "low impact defects." *Id.* CLEC orders for directory listings have historically experienced higher rejection rates than other types of orders, because BellSouth's rules for ordering such listings are complex and arcane. If a CLEC could simply parse the original directory listing in the CSR and auto-populate the information into the LSR, the likelihood of such rejections would be substantially reduced. Furthermore, BellSouth has advised the CLECs that they must use the information in its listed name field from the directory listings section (the subject of one of BellSouth's pending defect change requests) for the "End User Name" field on every LSR that they submit. Requiring the CLEC to manually populate this information into the LSR would increase the likelihood of order rejections.

26. Implementation of fixes for the seven defects to the parsed CSR acknowledged by BellSouth would also likely require updates or changes to the BellSouth specifications that accompany the software programming. Accurate and stable specifications are necessary in order for CLECs to develop the code required on their end to test and utilize BellSouth's CSR parsing functionality. Without a stable set of specifications to work from, CLECs such as AT&T cannot develop – and will not dedicate scarce resources to attempting to develop – the necessary software. Thus, it will be some time before it can be determined whether the defects acknowledged by BellSouth have been fixed.

27. Even leaving aside the BellSouth-acknowledged defects, the parsed CSR functionality implemented by BellSouth is defective because it does not fully implement the specifications for such functionality (which were based on the industry standard parsed CSR functionality) that had been developed in meetings between BellSouth and the CLECs in late 2000.[10] Contrary to BellSouth's assertion, the specifications document that it developed with the CLECs was not simply a "guide for the development of further requirements by BellSouth." Stacy/Varner/Ainsworth Aff., ¶ 78. BellSouth agreed to the specifications set forth in the document at the time of its meetings with the CLECs; in fact, BellSouth's published schedule at the time called for implementation of the functionality in May 2001. BellSouth simply reneged on its commitment later, and unilaterally published its own set of specifications. CLECs certainly would not have expended the considerable time and effort that they devoted to developing these specifications with BellSouth in late 2000 if they had regarded the agreed-to document as a mere

[10] *See* Bradbury Opening Decl., ¶ 33; Stacy/Varner/Ainsworth Aff., ¶ 78; Affidavit of William N. Stacy filed October 2, 2001, in CC Docket No. 01-277 ("Stacy Aff."), ¶ 222.

"guide" that BellSouth was free to disregard. They were negotiating specifications that, at the time, BellSouth had scheduled for implementation only a few months later.

28. BellSouth's explanations for its failure to parse and return all of the agreed-to specifications simply do not withstand scrutiny. *See* Stacy/Varner/Ainsworth Aff., ¶¶ 78-85. For example, BellSouth claims that it did not include 14 fields of information because "the related fields on the BellSouth CSR are not in LSOG 4 format, and, therefore, are not 'parsed' into a LSOG 4 format field." *Id.* ¶ 84. These fields are significant to the types of orders placed by AT&T and other CLECs. They involve, for example, hunting information, type of service, end user name, style code, type of account, and listing name placement. *Id.*

29. BellSouth's explanation that it did not include these fields because they are not in LSOG 4 format simply begs the question. Nothing prevents BellSouth from parsing these CSR data in such a way that they will be meaningful and useful to the CLECs, regardless of whether it is in LSOG format. Even if the information is not in an LSOG 4 format, the CLEC could convert the information to that format if it was necessary to do in order to use the information in an LSR.

30. BellSouth also asserts that it did not include the 14 fields because, "if the BellSouth CSR contains a piece(s) of information that cannot be matched to a field on the LSOG 4 pre-ordering field list, BellSouth has not parsed that field." *Id.* However, the table that appears after BellSouth's assertion, which lists the 14 LSOG 4 pre-ordering fields for this information,

acknowledges that the relevant information for 11 of the fields "may be obtained from the parsed and/or unparsed fields contained in the [BellSouth] CSR." *Id.*[11] Those fields are:

TOS – Type of Service

NAME – End User Name not for directory delivery

LST – Local Service Termination

DGOUT – DID Digits Out

HNTYP – Hunting Type

HTSEQ – Hunting Sequence

SGNL – Signaling

STYC – Style Code

TOA – Type of Account

LPNL – Listed Name Placement

BRO – Business/Residence Placement Override

Because the data for these fields are already in BellSouth's CSR, there is no reason why BellSouth cannot provide the data in the parsed CSR. In fact, Southwestern Bell, Ameritech, and Verizon already parse all or most of these fields. A matrix describing the specific fields parsed by these RBOCs is attached hereto as Attachment 6.

[11] In an affidavit that he filed with the Georgia Public Service Commission (in GPSC Docket No. 6863-U) on February 25, 2002, BellSouth's witness Stacy listed LTXNUM (List of Text Reference Number) as an additional LSOG 4 pre-ordering field for which the relevant information "may be obtained from the parsed and/or unparsed fields contained in the BellSouth CSR." *See* letter from Sean A. Lev to William Caton in CC Docket No. 02-35, dated February 27, 2002, Attachment A (Affidavit of William N. Stacy), ¶ 47. By contrast, BellSouth's February 14 application lists LTXNUM as a field "for which there are no corresponding fields on the BellSouth CSR." Stacy/Varner/Ainsworth Aff., ¶ 83.

31. Recent actions by BellSouth show that it can parse the 11 fields. On February 7, 2001, BellSouth filed two change requests (CR 0651 and CR 0652) for implementation of six of the 11 fields in question: (1) HNTYP; (2) HTSEQ; (3) DGOUT; (4) STYC; (5) TOA; and (6) BRO. These change requests (copies of which are attached hereto as Attachments 7 and 8) demonstrate that the BellSouth CSR contains information for these fields that matches the descriptions of the LSOG 4 field, even though the information is not fielded in this manner in the CSR.[12] Thus, BellSouth did not include this information in the original parsing functionality simply because it chose not to do so.

1. Finally, BellSouth's parsed CSR functionality is defective because it can only be used by CLECs using the machine-to-machine EDI or TAG interfaces for ordering – and only if such CLECs use TAG for pre-ordering. BellSouth's LENS and RoboTAG™ interfaces (which are GUIs) do not allow a CLEC to independently integrate anything from the CSR into the LSR. Thus, a CLEC submitting LSRs via the LENS or RoboTAG™ interface is still required to re-enter CSR data manually in an LSR.

33. BellSouth contends that testing by Telcordia Technologies and Exceleron verified that the parsed CSR functionality "functions as specified." Stacy/Varner/Ainsworth Aff., ¶ 60. The question, however, is not whether the functionality functions "as specified" by BellSouth, but whether it provides the same full parsing capability that BellSouth's retail operations have. Even a cursory review of the results of that testing shows that neither Telcordia nor Exceleron examined the latter issue. *See id.*, Exhs. SVA-19 – SVA-21.

[12] Consequently, the column in BellSouth's table marked "Field Retained as BST CSR" is misleading. Stacy/Varner/Ainsworth Aff., ¶ 74. Although BellSouth's CSR does not include the fields with the matching LSOG 4 field name, it does include the information that the field calls for.

34. Furthermore, BellSouth's "evidence" regarding the Telcordia test does not show that the test was reliable even within its limited objective. Telcordia's test cannot be considered truly independent, since it was retained by BellSouth. *Id.*, ¶ 61 & Exh. SVA-19. Section 1. Moreover, as the vendor of the Telecommunications Access Gateway ("TAG") being used to transport the test parsed CSR, Telcordia had a potential conflict of interest.[13] Telcordia also had a potential conflict because it supplies the ServiceGate Gateway that BellSouth uses in the processing of xDSL orders, and because it is affiliated with Science Application International Corporation ("SAIC"), the company that BellSouth has hired to provide "technical assistance" to CLECs. *See* Stacy/Varner/Ainsworth Aff., ¶ 23.

35. Even leaving aside its lack of impartiality, the testing by Telcordia proves little, if anything, about the adequacy of the parsed CSR functionality. Telcordia's report on its testing, for example, indicates that Telcordia parsed only 43 of 88 fields on the parsed CSR (less than 50 percent of the total) and electronically populated in an LSR only 13 of those fields (*i.e.*, only 15 percent of the total number of fields) into the LSR. *Id.*, Exh. SVA-19, Att. B, Section 5.1. An ideal reliable test, however, would determine whether *all* of the fields can be parsed, and (even if they can be parsed) whether *all* such fields can be populated onto an LSR.

36. Although ideal testing is often considered too expensive, common practice in the software industry generally considers testing of less than 85 percent of possible scenarios to be

[13] BellSouth's Application fails to note that Telcordia does not actually provide BellSouth's parsed CSR to the customers of its ExchangeLink Service – as one would expect if the parsed CSR functioned as well as BellSouth describes. *See* Stacy/Varner/Ainsworth Aff., ¶ 29 (describing "Telcordia's clearinghouse service, ExchangeLink"). As Telcordia admits in its test report, the TAG interface has not been upgraded to support TAG 7.7.0.1, which is the minimum level at which the parsed CSR can be supported. *Id.*, Exh. SVA-19 at 1 n.2.

inadequate. As Telcordia points out in its report, it did not perform auto-population of any directory listing data as the "trigger" for that operation, because the LTN field had not been provided by BellSouth's parsed CSR at the time of the test. *Id.*, Att. B, fn. 1. These data covered approximately 20 fields. *Id.*, Section 3 and Att. B, fn. 1. Significantly, many of the defects in the parsed CSR functionality subsequent to the January 5, 2001 implementation deal with information contained within the directory section of the CSR. Furthermore, aside from automatically populating Hunt Group ID data, Telcordia manually populated information related to Hunting into the LSR. *Id.*, Section 1 fn. 4.

37. The testing of the parsed CSR capability by Exceleron (a software vendor) also lends no support to BellSouth's position. Exceleron did not actually test the parsed CSR functionality implemented by BellSouth. The agreement between BellSouth and Exceleron makes clear that Exceleron only [**********
**********]. *See* Stacy/Varner/Ainsworth Aff., Exh. SVA-20 at 7. [**********
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**********]. [14]

[14] Even leaving aside the limited scope of the Exceleron test, the BellSouth-Exceleron test agreement and the Exceleron test summary provide no basis for concluding that BellSouth's parsed CSR functionality operates "as intended" by BellSouth. Neither document describes such critical information as the methodology used in the test, the number of test cases that were used, or the results of the test. *See id.*, Exhs. SVA-20 and SVA-21. The test summary states only that "Exceleron utilized BellSouth documentation and required no additional assistance with [the] development of parsed CSR." *Id.*, ¶ 64.

38. BellSouth also argues that Birch and BellSouth recently tested the parsed CSR as part of Birch's test of its upgraded TAG interface. *Id.*, ¶ 66. However, the specifications for Birch's test make clear that, like the Telcordia test, the Birch test [**********

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Id., Exh. SVA-22 at 2.

39. In short, the tests of Exceleron and Birch demonstrate only that [*********

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**********], their testing does not (and cannot) demonstrate that BellSouth can generate an accurate and complete parsed CSR from the parsed CSR functionality that BellSouth has actually implemented in its production OSS and transmit that CSR to a CLEC.

40. Evidently recognizing the flaws in its parsed CSR functionality and the testing of that functionality, BellSouth asserts that "The lack of a parsed CSR in the past would not have prevented any CLEC from submitting an LSR to BellSouth." *Id.*, ¶ 86. This argument is a red herring. Although the lack of a parsed CSR functionality may not preclude a CLEC from submitting an LSR *altogether*, it requires a CLEC to populate the CSR information into the LSR

manually. That process causes delay, increases the likelihood of errors (and order rejections), and increases a CLEC's costs – and is thus a denial of parity, because BellSouth's retail operations can parse CSR data and transfer it electronically into an LSR.[15]

41. Remarkably, BellSouth suggests that the parsed CSR functionality is of little value to CLECs because, in migrations of end-users from BellSouth to a CLEC, the information on a CSR (whether parsed or unparsed) "is only useful in discussing the options with the end user, since little or not [sic] information from the CSR is needed to complete the LSR." *Id.*, ¶ 89. BellSouth's argument, however, is misplaced, because it focuses only on two types of orders – "migrations as is" and "migrations as specified." *Id.* BellSouth totally ignores the CLECs' needs of parsed CSR information for additional business needs. Like BellSouth, CLECs need to store CSR data in their own systems and databases to maintain customer records and perform various services (such as billing and maintenance) for the customer after the customer's service is first installed. And, like BellSouth, CLECs must be able to electronically populate the data from the CSR into their own databases in order to be able to store it efficiently, even when the customer is acquired through a simple "migration as is" order. Without that ability, the CLEC could store the

[15] *See, e.g.*, *Second Louisiana 271 Order*, ¶ 96 (when CLECs must manually populate information on LSRs, rather than automatically populate the information like BellSouth's retail operations, "the additional costs, delays, and human errors likely to result from this lack of parity 'have a significant impact on a new entrant's ability to compete efficiently in the local exchange market and to serve its customers in a timely and efficient manner'") (quoting *South Carolina 271 Order*, ¶ 156); *New York 271 Order*, ¶ 137 ("[w]ithout an integrated system, a competing carrier would be forced to re-enter pre-ordering information manually into an ordering interface, which leads to additional costs and delays, as well as a greater risk of error"); *Texas 271 Order*, ¶ 152 (inability to integrate, including inability to parse, "may place competitors at a disadvantage and significantly impact a carrier's ability to serve its customers in a timely and efficient manner").

information only by entering it manually in the CLEC's systems – a task that would be extremely costly and time-consuming when the CLEC serves customers on a mass-market basis.

42. Furthermore, although BellSouth suggests that CSR information is "only" useful for discussions with customers, such information is critically important to a CLEC in determining a customer's needs and in developing proposals to the customer (particularly when the customer is a large business). The CSR is the only available source, for example, of information concerning the customer's services, equipment, and directory listing that is necessary to pre-qualify a customer for the CLEC's services. Without a parsed CSR, the CLEC has no choice but to populate such data manually into the LSR and its own databases.[16] Only if the CSR is electronically available in parsed format can the CLEC enjoy the same effectiveness and efficiency that BellSouth enjoys in dealing with its actual or prospective retail customers.

2. BellSouth's Alternative Argument That It Has Provided CLECs With the Ability To Develop Parsing Capability Independently Is Without Merit.

43. In addition to citing the recent implementation of its parsed CSR functionality, BellSouth argues that it has provided CLECs with the resources to "successfully integrate" pre-ordering and ordering functions. *See* Stacy/Varner/Ainsworth Aff., ¶¶ 8-38. The Georgia PSC clearly rejected this argument last October, when it ordered BellSouth to provide

[16] This situation is therefore different from in the parsing situation addressed in the Commission's *Texas 271 Order*. In that case, CLECs were unable to parse service address information from the pre-ordering address validation function in SWBT's pre-ordering interface. However, CLECs were able to obtain the address information electronically from the CSR and auto-populate it into their LSR to the extent that such information was required. *Texas 271 Order*, ¶ 155. By contrast, much of the information in the CSR cannot be obtained from other pre-ordering functions. Even leaving this fact aside, the *Texas 271 Order* only addressed the need for parsing in the ordering context, rather in the broader context of a CLEC's need for such data in the context of its internal business operations.

parsed CSR functionality by January 5, 2002 as a condition of its approval of BellSouth's previous application.[17] It is also plain that the Commission did not accept BellSouth's argument in CC Docket No. 01-277, since BellSouth describes "integration" as one of the concerns of the Commission Staff that led it to withdraw its previous application. Application at 1, 6.

44. Although BellSouth repeatedly describes the issue as one of "integration," "integration" is a broad term describing the general ability of CLECs to transfer pre-ordering data electronically into an LSR. The degree to which a CLEC will be able to populate pre-ordering information electronically into an LSR will depend on the extent to which BellSouth has given CLECs the ability to integrate.

45. BellSouth states that the process of integrating application-to-application interfaces "can only be accomplished by the CLECs themselves." Stacy/Varner/Ainsworth Aff., ¶ 24. This statement is, at best, highly misleading. If BellSouth has not given CLECs all of the resources (including documentation) necessary to integrate pre-ordering and ordering functionalities, they will be able to integrate these functions partially – or not at all. If BellSouth's resources enable CLECs only to auto-populate *some* fields on *some* LSRs, that does not constitute the *full* and *successful* integration that is required for parity of access to exist. Thus, the fact that a CLEC can achieve *some* integration does not mean that it can parse a CSR in a manner equal to that which exists in BellSouth's processes.

46. BellSouth clearly has not provided CLECs with the ability to independently develop their own CSR parsing functionality. Such independent development by a CLEC would

[17] The Florida PSC rejected BellSouth's argument even earlier, in its July 28, 2001, order. *See* fn. 7, *supra*.

be extremely difficult, if not impossible, under any circumstances. BellSouth itself has acknowledged the difficulty of developing parsing functionality. In explaining the long time that BellSouth took to implement its own CSR parsing functionality (notwithstanding the existence of industry standards for such functionality), BellSouth's witness Stacy testified that "The programming complexities and system interdependencies for this particular development preclude a simple implementation of industry standard parsing." Stacy Aff., ¶ 223. If the development of parsing functionality was difficult for BellSouth, it would be even more difficult for CLECs, who would be dependent on BellSouth to provide business rules and other assistance that CLECs would need even to attempt such development. Bradbury Opening Decl., ¶ 38 n.17.

47. The independent development of parsing functionality by a CLEC would also be extremely costly and inefficient. Even if a CLEC was able to develop such functionality, it would be required to perform reprogramming each and every time BellSouth made any changes in its systems. Absent such reprogramming, the likelihood of order rejections would increase. (By contrast, the parsed CSR functionality used by BellSouth's retail operations automatically reflects any changes made to its systems.)

48. Even leaving these facts aside, the various "resources" that BellSouth claims to have provided to CLECs do not give CLECs the ability to develop parsing functionality. *See* Stacy/Varner/Ainsworth Aff., ¶ 8. First, BellSouth cites the various documents that it has provided to CLECs. *Id.*, ¶¶ 10-19. These documents, however, consist of thousands and thousands of pages. Nowhere in its Application does (or can) BellSouth describe the specific pages or sections of these documents from which CLECs could derive the information that would enable them to parse CSR data independently. Moreover, some of these documents (such as the

CSR Job Aid and the Pre-Order to Firm Order Mapping Matrix) were promulgated on March 30, 2001 – nearly a year ago – and are therefore not current. *Id.*, ¶ 15.

49. Second, BellSouth cites letters submitted by four CLECs – Access Integrated, Exceleron/GoComm, ITC DeltaCom, and Momentum Business Solutions – as "evidence showing that they have successfully integrated the TAG pre-ordering interfaces with the TAG or EDI ordering interfaces." *Id.*, ¶ 21; *see also id.*, ¶¶ 25-28. None of these letters, however, supports BellSouth's position that it has provided CLECs with the ability to develop CSR parsing functionality on their own.

50. Access Integrated, for example, simply states in its January 29, 2002 letter – without further explanation -- that it "is able to parse the CSR received from BellSouth, enter it into its local database, and utilize that information to electronically populate the LSR." *Id.*, Exh. SVA-3. Access provides no indication of the extent to which it can parse CSR data. Moreover, the statements by Access Integrated were based on barely two months of commercial experience.[18] By contrast, in the Texas 271 proceeding, at least one of the CLECs upon which the Commission relied with respect to integration claimed ten months of experience. *See Texas 271 Order*, ¶ 155 & n.417.

51. Exceleron/Go Comm does not even claim that it has parsed CSR data, but simply makes the bald assertion that it has "integrated BellSouth's pre-order with [its] production ordering system" -- and only "for resale." Stacy/Varner/Ainsworth Aff., Exh. SVA-4. In fact, Exceleron/GoComm advised the Commission last December that GoComm had integrated the

[18] *See* Stacy/Varner/Ainsworth Aff., Exh. SVA-6 (stating that Access has used pre-ordering and ordering software "successfully in the commercial arena" since November 27, 2001).

TAG pre-ordering interface only with "a *limited* segment of TAG ordering interfaces," and that it was unable to integrate "complex business orders." *Id.*, Exh. SVA-7 (emphasis added). Moreover, according to data in BellSouth's Application, GoComm has submitted **[*************]** orders per month from September through December – and thus clearly has not had sufficient commercial experience to support its claim of integration. *Id.*, ¶ 30.

52. Although BellSouth also relies on ITC DeltaCom, that CLEC advised the Commission last December that it "has integrated pre-ordering and ordering functions for *one platform (TAG)* on a *limited basis*" and has been able to generate only "certain" resale and UNE-P orders "on an integrated basis." ITC DeltaCom confirmed that "it does not enjoy the same level of functionality through its proprietary, 'makeshift' interface, as that enjoyed by a BellSouth retail representative." *Id.*, Exh. SVA-8 at 1-2 (emphasis added). ITC DeltaCom was able to achieve even that limited degree of integration only after it hired an "employee who had retired from a thirty year career with BellSouth Telecommunications, Inc. [and who used] her knowledge and experience with BellSouth" to help ITC DeltaCom "develop its own proprietary software" to "'parse' pre-order information into English." *Id.* And even with an experienced former BellSouth employee, ITC DeltaCom was unable to "adapt [its] . . . software to be of use for facilities or complex products (*i.e.*, Centrex) orders," including products and services upon which CLECs necessarily rely in establishing a viable entry plan. *Id.* at 2. Indeed, in a presentation made before the Florida PSC on February 18, 2002, ITC DeltaCom reiterated its position that it had been able to integrate only on a limited basis, and stated that BellSouth's parsed CSR contained a defect (hunting) "critical" to DeltaCom.[19]

[19] A copy of DeltaCom's presentation is attached hereto as Attachment 9.

53. Finally, in its February 5, 2001 letter to Mr. Stacy, Momentum states only that it is able to "parse the CSR received from BellSouth, enter it into our local database, and utilize that information to auto-populate *parts of the LSR.*" *Id.*, Exh. SVA-5 (emphasis added). Momentum's letter thus indicates that Momentum has been able to successfully parse only some unspecified *parts* of the CSR.[20] Momentum confirmed that fact in an *ex parte* that it filed with the Commission last December, stating that it had only achieved "limited" integration and complaining that its attempts at integration had resulted in an "error rate which [Momentum] consider[s] unacceptable." *Id.*, Exh. SVA-9 at 1. If anything, Momentum's letters undermine, rather than support, BellSouth's claim that it is providing the required full integration necessary for nondiscriminatory access to the OSS.[21] Even Momentum's claim of limited integration/parsing is unsupported by sufficient commercial experience, since BellSouth's data

[20] The letters submitted by Access, Go Comm, and Momentum are striking in their similarity. For example, the letters submitted by Exceleron/GoComm and Momentum in December 2001 use remarkably similar phrasing, as if they were penned by the same hand. *Compare* Stacy/Varner/Ainsworth Aff., Exh. SVA-7 with *id.*, Exh. SVA-9. The February 2002 letters from Access Integrated and Momentum also use very similar language, except in one significant respect: although Access Integrated asserts that it uses parsed CSR information "to electronically auto-populate the LSR," Momentum used the phrase "to auto-populate parts of the LSR" instead. *Id.*, Exhs. SVA-3 and SVA-5.

[21] BellSouth cites Access Integrated's low rejection rates as proof of "successful" integration. *See* Application at 12; Stacy/Varner/Ainsworth Aff., ¶¶ 30-31. As BellSouth admits, however, rejection rates are much higher for other CLECs that it claims to have integrated successfully. *Id.*, ¶ 32. One of those CLECs, Momentum, advised the Commission last December that its rejection rate was "unacceptable." *Id.*, Exh. SVA-9. The variations in rejection rates show, at most, that CLECs differ from each other in their business plans, order mixes, employee training, and the degree to which they make mistakes on orders. In any event, BellSouth cannot consistently argue that each of these CLECs has "successfully integrated" and then point to variations in rejection rates among them as proof of integration.

indicate that Momentum has submitted [**********] LSRs per month between September and December. *Id.*, ¶ 30.[22]

54. Third, BellSouth relies on the "integration testing" performed by KPMG in Georgia. *Id.*, ¶¶ 35-38. However, the two letters from Michael Weeks of KPMG on which BellSouth relies do not support its claim that KPMG "tested CLECs' integration capabilities, and integrated its own pre-ordering and ordering functionality in order to submit orders in the functional part of the Georgia Third-Party Test." Application at 14; *See* Stacy/Varner/Ainsworth Aff., Exhs. SVA-12 and SVA-13.

55. As previously indicated, the critical issue for CSR parsing is whether the CLEC can mechanically parse the stream of actual CSR data sent by BellSouth through its interfaces and whether that parsed data can be mapped electronically to corresponding LSR fields for successful order processing. KPMG, however, did not test this. KPMG received a data dump of artificially created CSRs that it had requested from BellSouth, parsed it to some unknown degree in its own proprietary databases, and used data from its own database to populate an LSR. During its so-called "integration" testing, KMPG simply eye-balled the pre-ordering data to see if it could fit into the LSR ordering fields, without sending any pre-ordering queries. Even in this limited review, KPMG found that the pre-ordering data could not fit into LSR ordering fields in

[22] BellSouth's reliance on the use of ExchangeLink by Sprint is also no evidence that CLECs can develop parsing functionality independently. *See* Stacy/Varner/Ainsworth Aff., ¶ 29. The press releases issued by Telcordia, which implemented ExhchangeLink, do not claim that ExchangeLink provides parsing or integration capability to CLECs, but assert only that ExchangeLink acts as a "clearinghouse." *Id.*, Exhs. SVA-10 and SVA-11. In any event, the limited volumes of orders submitted by Sprint provide no basis for BellSouth's claim that "Sprint uses integrated interfaces." *Id.*, ¶ 30 (data showing that Sprint submitted [**********] per month between September and December 2001).

some unquantified number of instances. *See* Stacy/Varner/Ainsworth Aff., Exh. SVA-13 at 3. KPMG's functional testing Master Test Plan (page V-2) states that: "For a defined set of integrated transactions, information returned on the pre-order response will be used to populate fields in subsequent orders. This activity is undertaken to simulate the system-related activities of a CLEC wishing to integrate the pre-order and order functions." Nothing in KPMG's Master Test Plan or Final Test Report, or in the letters from Mr. Weeks, indicates that any of the "defined set of integrated transactions" involved the relevant functionality at issue here: the use of CSR data obtained through a BellSouth pre-ordering interface to automatically and directly populate an LSR.

56. Moreover, in his letter dated December 18, 2001, Mr. Weeks conceded that KPMG's parser "was not . . . designed to parse all possible fields from all possible types of CSRs." *Id.*, Exh. SVA-12, Att. at 2. Rather, KPMG's "CSR parser extracted only that information required to populate the LSRs *which [KPMG] submitted*" in its tests. *Id.* (emphasis added). And even limiting the test to only this unspecified subset of order types, KPMG's parser still did not obtain sufficient information to auto-populate the LSRs in KPMG's test; rather, KPMG had to combine the limited amount of parsed CSR data with data from its own "proprietary data bases" to *fully* populate the LSRs. *Id.*, Att. at 1. As such, the KPMG testing plainly provides no support for BellSouth's claim that full integration is possible. Mr. Weeks likewise conceded that the only other testing carried out by KPMG "moved data *manually* directly from Pre-Order Queries to Orders (LSRs)." *Id.* (emphasis added).

57. Mr. Weeks states in his December 18 letter, without explanation, that the KPMG parser "did not need to be" able to parse all of the fields that CLECs must parse to

integrate in the real world. *Id.*, Att. at 2; *See also id.*, Exh. SVA-13 at 3 (stating that KPMG "did not believe it necessary to actually construct software to filter Pre-Order data into an Order-ready format"). Although the KPMG parser did not need that functionality to serve its very limited purpose, without that capability it could not possibly support a finding that CLECs can, in fact, fully integrate. Furthermore, Mr. Weeks' suggestion that "mov[ing] data manually" "simulat[ed] the logic a computer program" would use to perform the parsing and autopopulation functionalities is illogical. *Id.*, Exh. SVA-12, Att. at 1. By that "logic," one could conclude that any untested OSS proffered by a BOC is adequate, because it is always theoretically possible to move data from one form to another, and to write code that will mechanize that manual operation. But if OSS proceedings before the states and the Commission have taught anything, it is that the devil is in the details. There is no question that it is theoretically *possible* that OSS could be designed to provide CLECs with sufficient integration functionality, but the fact remains that BellSouth has *not* provided the CLECs with the tools to do that themselves. As the Commission explained in the *Texas 271 Order* (¶ 152), the Commission "does not simply inquire whether it is possible to transfer information from pre-ordering to ordering interfaces . . . [rather it] assesses whether the BOC enables *successful* integration."

58. In fact, as Mr. Weeks admitted in his December 18 letter, even in its limited analysis KPMG identified one serious problem that would make it extremely difficult to write a program to fully integrate the pre-ordering/and ordering functionalities. As explained by Mr. Weeks, KPMG "discovered that differences in definitions existed between [BellSouth's pre-ordering and ordering] interfaces." *Id.*, Att. at 1. In response to this problem, BellSouth "created certain [but unidentified] Pre-Order to Order 'mapping' documents." *Id.* But Mr. Weeks

acknowledged that KPMG could not vouch for those "mapping" documents because they "have not been reviewed by KPMG Consulting." *Id.*[23]

59. Mr. Weeks' more recent letter to the Commission, dated February 2, 2002, does little more than reconfirm the limited scope of the KPMG test. *See id.*, Exh. SVA-13. Mr. Weeks confirms that KPMG "did not actually construct software to filter Pre-Order data into an Order-ready format," but instead "chose to simulate the behavior of such software through use of *manual retrieval*, transformation, and substitution." *Id.* at 3 (emphasis added). Furthermore, although he asserts that KPMG electronically parsed an "enormous" (but unspecified) amount of data from the database dump, he admits that "Creation of electronic parsers was not in the scope of the MTP," and that KPMG "did not attempt to build parsers that were capable of parsing all possible fields, for all possible types of accounts." *Id.* at 5-6. But the ability of CLECs to build such parsers is precisely the issue that BellSouth raises here. Even BellSouth concedes that, unlike Telcordia, KPMG did not purport to "automatically populate the order with the tested field of information in [its] formal test." *Id.*, ¶ 38.

60. At best, KPMG's test shows that CLECs may be able to parse *some* data, and electronically populate it into the CSR, on their own.[24] It certainly does not show that a

[23] BellSouth's suggestion that no CLEC has previously indicated in any proceeding "that it has seriously attempted integration using BellSouth's supporting document but was unsuccessful," or "seriously argued that CLECs could not integrate from unparsed pre-ordering data," is highly misleading. *See* Application at 13-14. AT&T, for one, has raised the issue before the GPSC in arbitration, as well as before state commissions in several other BellSouth states. *See, e.g.*, GPSC Order, *Petition of AT&T Communications of the Southern States, Inc., et al. for Arbitration of Certain Terms and Conditions of Proposed Agreement with BellSouth Telecommunications, Inc. Under the Telecommunications Act of 1996*, Docket 11853-U, at 14 (April 14 2001) (issue 42(a) is "Parsed CSR Records for Pre-Ordering"). *See also* Bradbury Opening Decl., ¶ 39 n.18.

CLEC can develop parsing functionality equivalent to that used by BellSouth's retail operations. In addition, KPMG's test fails to consider the substantial costs and inefficiencies that a CLEC would incur if it attempted to develop parsing capability independently.

61. BellSouth's offer of "assistance" to CLECs seeking to integrate confirms the inability of CLECs to integrate pre-ordering and ordering functionalities fully and successfully. *See* Application at 9-10; Stacy/Varner/Ainsworth Aff., ¶¶ 21-23. This "assistance" would be unnecessary if, as BellSouth has repeatedly contended in the past, it has already provided CLECs with all of the documentation and tools necessary for successful integration.

62. In any event, it appears that BellSouth did not even begin to offer most of the "assistance" it cites until very recently. For example, prior to the filing of BellSouth's new application, AT&T was not aware of the existence of an "E-Commerce Account Team" which, according to BellSouth, provides "assistance regarding the testing of BellSouth's interfaces." Application at 10; Stacy/Varner/Ainsworth Aff., ¶ 22. Although BellSouth's application is not entirely clear on the issue, it appears that the "E-Commerce Account Team" is part of the "CLEC Assistance Program for Systems Integration" that BellSouth first offered to the CLECs on February 13, 2002 – the day before its application was filed. *See* Stacy/Varner/Ainsworth Aff., Exh. SVA-65.

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[24] Even Mr. Weeks' most recent letter states only that KPMG found that it was possible for CLECs to "[e]lectronically parse most of the desired database from the query response" – and he did not describe what he meant by "most" or "desired." Stacy/Varner/Ainsworth Aff., Exh. SVA-13 at 8. In fact, he acknowledged that there are "certain types of accounts (e.g. large, complex businesses), and types of data (e.g. hunting information) that are not easily parsed, and require manual intervention on the part of a CLEC." *Id.* Those types of accounts and data, however, are significant to a CLEC.

63. Even if they are different programs, however, the "E-Commerce Account Team" and the "CLEC Assistance Program" plainly will give CLECs no meaningful assistance in integrating pre-ordering and ordering functionalities. BellSouth states that the E-Commerce Account Team "is available to provide assistance relating to the testing of BellSouth's interfaces." Application at 10. Assistance in *testing*, however, is of no value if the CLECs' problem is the inability to *integrate*. Moreover, BellSouth's February 13th letter suggests that the CLEC Assistance Program consists of "high-level consulting advice" – not the detailed assistance that CLECs would need in order to achieve full integration. Stacy/Varner/Ainsworth Aff., Exh. SVA-65. In any event, given their very recent inception, there is no basis for concluding that either of these mechanisms will give meaningful assistance to CLECs.

64. Like the "E-Commerce Account Team" and the "CLEC Assistance Program," the "third-party advice" offered by BellSouth appears to be a recent development. Although BellSouth contends that it has hired Science Application International Corporation ("SAIC") and Accenture to assist and support CLECs, it appears that BellSouth did so only shortly before it filed its new application. *See id.*, ¶¶ 22-23. For example, although BellSouth states that Accenture "has worked extensively with BellSouth wholesale interfaces," it does not contend that Accenture (or SAIC) has previously provided any of the assistance that it offers. *Id.*, ¶ 23.

3. BellSouth's Recent Implementation of "Telephone Number Migration" Does Not Remove the Need For Equivalent Parsing Functionality.

65. BellSouth suggests that its recent implementation of telephone number migration ("TN migration") can somehow compensate for its deficient parsing functionality and for the inability of CLECs to parse CSRs independently. *See* Application at 17 (stating that implementation of TN migration "bolsters the conclusion that CLECs can order products with minimal human intervention"). This is incorrect.

66. It is true that the implementation of an effective TN migration functionality would reduce the likelihood of errors, order rejections, and manual fall-out that would otherwise occur as a result of the BOC's failure to provide adequate parsing functionality or to enable CLECs to develop such functionality independently. TN migration would be particularly beneficial to CLECs who plan to provide local exchange service on a large-volume, mass-market basis. *Texas 271 Order*, ¶ 178.

67. However, as this Commission recognized in its *Texas 271 Order*, TN migration does not eliminate the need for CLECs to parse pre-ordering information. *Id.*, ¶ 160 n.435 (stating that TN migration "will not altogether eliminate the need for carriers to parse address information"). TN migration only eliminates the need for CLECs to populate the end user service address field on the LSR. Stacy/Varner/Ainsworth Aff., ¶ 40. That is why the Georgia PSC ordered BellSouth ordered BellSouth to provide *both* TN migration *and* CSR parsing functionality. *See id.*; Comments of Georgia PSC filed October 19, 2001, in CC Docket No. 01-277, at 10.

1. BellSouth claims that "TN migration has been a great success." *See* Application at 18. That claim, however, is an overstatement. For example, although BellSouth contends that more than 160,000 UNE-P orders "us[ed] TN migration" between November 17 and January 28 (*id.*), that figure appears to include all orders submitted on all of BellSouth's interfaces. However, the TN migration functionality only eliminates the edits for service address information for those orders submitted via the EDI or TAG ordering interfaces. Even after the implementation of TN migration, for example, UNE-P orders submitted via the LENS and RoboTAG™ interfaces have still been edited for address information before they can be released to BellSouth's front-end LEO and LESOG systems – even though TN migration "officially" applies to those interfaces as well. And even when orders are submitted via EDI or TAG, any address information that they *do* contain will be edited, notwithstanding the existence of TN migration. Thus, the number of orders that have actually been affected by TN migration is undoubtedly far less than 160,000.[25]

69. More fundamentally, the purported "success" of TN migration has occurred only after a history of noncooperation and inadequate implementation by BellSouth. Indeed, the history of the TN functionality demonstrates any claim by BellSouth that it has implemented a functionality should be greeted with considerable skepticism until commercial experience proves that it really works.

[25] BellSouth's claim of the effect of TN migration on rejection rates is similarly overstated. *See* Application at 18; Stacy/Varner/Ainsworth Aff., ¶ 56. For example, although BellSouth's Application compares rejection rates for UNE Loop-Port combinations in September 2001 with the (lower) rate in December 2001, its affiants admit that the rate was already declining even before TN migration was implemented (from 19.38 percent in September to 17.78 percent in October). *Id.*

70. AT&T submitted a change request in December 1999 for implementation of a functionality permitting CLECs ordering the UNE platform to use only the customer's telephone number and street number information for validation purposes. Similarly, in August 2000 WorldCom submitted a change request requesting that CLECs only be required to submit the customer's name and telephone number on UNE-P migration orders, and not be required to supply the service address. *See* Bradbury Reply Decl., ¶ 10 & Atts. 3-4. BellSouth, however, took no action to implement these requests until after it was ordered by the Georgia PSC, in October 2001, to implement "migration of telephone number and name" by November 3, 2001. *See* Stacy/Varner/Ainsworth Aff., ¶ 40.

71. Moreover, when BellSouth purported to implement TN migration on November 3, the software for this functionality was seriously defective – and BellSouth knew it. In the Carrier Notification Letter that it sent to CLECs on the day before the implementation, BellSouth advised CLECs that, under the functionality it was about to implement, UNE-P migration orders lacking service address information would *still* be rejected if more than one address in BellSouth's Regional Address Service Guide ("RSAG") was associated with the telephone number on the LSR. As BellSouth acknowledged, this flaw in the functionality would cause approximately 30 percent of UNE-P LSRs to be rejected. *See id.*, ¶ 41; Bradbury Reply Decl., ¶ 13 & Att. 5.

72. Although BellSouth implemented a "fix" on November 17, 2001, to correct the problem, BellSouth admitted to the CLECs that it did not implement TN migration by name because, had it done so, the rejection rate would have increased to between 64 percent and 99.7 percent. *See* Stacy/Varner/Ainsworth Aff., ¶ 43 (admitting that implementing TN migration by

name "would actually cause reject rates to increase"). Instead, BellSouth decided (belatedly) to implement AT&T's December 1999 change request, which, as stated above, sought validations based on the telephone number and house number. *Id.*

73. Even after implementation of the new software implemented on November 17, however, serious operational deficiencies remained in the TN migration functionality. These problems included order rejections that resulted from improper data content in the RSAG database, and "mismatches" that occurred between RSAG and the CSR when BellSouth was performing a "secondary check" of the RSAG-validated address against the CSR. *See id.*, ¶¶ 48, 54. Because the rejections were erroneous, the rejected orders could only be corrected through manual intervention by BellSouth's Local Carrier Service Center ("LCSC"), whose personnel were inadequately trained for the task. In addition to these deficiencies, the TN migration functionality did not extend to resale or loop orders.

74. BellSouth now contends that on February 2, 2002, it implemented functionality that (1) removed the "secondary check" that caused order rejections when there was a "mismatch" between the RSAG-validated address and the CSR; and (2) expanded the scope of TN migration to include LSRs for resale (non-complex plus ISDN-BRI, and PBX) and loops (excluding xDSL). *Id.*, ¶¶ 48, 58. Because these changes are so recent, however, it would be premature to conclude that they are effective.

75. Even if the recently-implemented changes prove to be adequate, however, the fact remains that BellSouth implemented a functionality that it knew would cause the rejection of 30 percent of UNE-P orders. Furthermore, even after this problem was fixed, BellSouth's TN migration functionality continued to cause rejection of valid UNE-P orders for more than two

months. These results are all the more disturbing because, as BellSouth admits, the purpose of TN functionality is to *reduce* the occurrence of order rejections. *Id.*, ¶ 39.

76. In short, BellSouth's performance in the implementation of TN migration has been both unresponsive and irresponsible. It also demonstrates that any claim by BellSouth that a recently-implemented (such as the parsed CSR) is "successful" should not be taken at face value, because the purported "implementation" may be fraught with deficiencies that preclude CLECs from enjoying nondiscriminatory access.

B. BellSouth Still Fails To Provide CLECs With Equivalent Access To Due Dates.

77. BellSouth still has not shown that it provides CLECs with the same automated due date calculation capability that it has in its own retail operations. Although BellSouth seeks to define the issue as one of "double FOCs," the "double FOC" problem is simply the result of BellSouth's failure to provide equivalent due date capability. *See* Application at 31-33; Stacy/Varner/Ainsworth Aff., ¶¶ 145-150.

78. Customers expect CLECs to be able to tell them, while they are on the line, the date on which their service will be installed. The CLEC must also, at that stage, be able to request the due date with reasonable assurance that the date will not change during the interval between the submission of the order and BellSouth's return of the Firm Order Confirmation ("FOC"), which sets forth the actual due date. Should the date be changed during that interval, the CLEC will be required to report the change to the customer – leaving the customer both inconvenienced and dissatisfied with the CLEC.

79. Furthermore, nondiscriminatory access requires that the due dates for CLEC customers be the same as those for BellSouth retail customers who request the same services at the same time. Customers will have little confidence in a CLEC if their service cannot be installed within the same time frame that would be required to obtain the same service from BellSouth's retail operations.

80. In its *Second Louisiana Order*, the Commission found that BellSouth failed to provide nondiscriminatory access to due dates, for two reasons. First, because BellSouth failed to return FOCs with the actual due date on a timely basis, CLECs (unlike BellSouth's retail operations) could not tell their customers with certainty, while they were still on the line, the date on which their service could be installed. *Second Louisiana Order*, ¶¶ 104-105. As described below in Part II, due to BellSouth's excessive reliance on manual processing, that problem still exists today.

81. Second, the Commission found that BellSouth did not provide CLECs with an automatic due date calculation capability equivalent to that used by BellSouth's retail operations. *Id.*, ¶ 106. The Commission concluded that it would "closely examine BellSouth's automatic due date calculation capability in any future application." *Id.*

82. As Mr. Bradbury previously testified, although BellSouth installed an automated "due date calculator" after the Commission's *Second Louisiana Order*, the performance of that calculator has been inadequate to provide nondiscriminatory access to due dates. In numerous instances since the problem was first discovered in February 2001, the calculator assigned due dates for UNE-P orders that exceeded the standard intervals requested on UNE-P LSRs. *See* Bradbury Opening Decl., ¶ 44-46.

83. The deficiencies in the due date calculator persisted even after BellSouth implemented "fixes," as part of its July 28, 2001, and September 30, 2001 releases that were purportedly intended to correct them. *Id.*, ¶ 48. The July 28, 2001 release in response to the submission of Defect Change Request 0445 on July 12, 2001, by AT&T, whose UNE-P orders had been erroneously assigned due dates longer than the target interval or the best available date. *Id.*, ¶ 50. Because the calculator could not consistently calculate due dates accurately (causing lack of parity and unreasonable delays to CLECs to their customers), AT&T filed Change Request 0520 on October 12, 2001, again requesting correction of the problem. *Id.*, ¶ 49.

84. In response to AT&T's change request, BellSouth suggested that, pending implementation of the request, CLECs use a "workaround" that it had implemented in June 2001. Bradbury Reply Decl., ¶ 20. As described by BellSouth in its application, that "workaround" involves a review by BellSouth's systems four times per day for those LSRs that have a due date longer than one day and that have received a FOC. For each such LSR, BellSouth sends a second FOC to the CLEC (the "double FOC") that updates the due date to the current day. Stacy/Varner/Ainsworth Aff., ¶ 145.

85. BellSouth's "workaround," however, was an illogical solution to the problem. Even if the workaround has been as "mechanized" as BellSouth contends,[26] it made no sense for BellSouth to program its systems to check FOCs four times a day, rather than fixing the calculator itself. Bradbury Reply Decl., ¶ 26.

[26] BellSouth claims that it implemented a "mechanized" workaround process in June 2001. Stacy/Varner/Ainsworth Aff., ¶ 145. It is AT&T's understanding, however, that the workaround originally implemented last June involved manual correction of due dates by the LCSC when an order was assigned an erroneous due date – and after the CLEC had advised the LCSC of the error. Bradbury Reply Decl., ¶¶ 21-24.

86. Moreover, BellSouth's "workaround" does not eliminate the denial of parity caused by the inability of the automated due date calculator to assign correct due dates on UNE-P orders. Because BellSouth conducts its reviews of LSRs only at certain times of the day, it is unlikely that BellSouth's systems can detect incorrect due dates and re-issue a FOC in sufficient time to ensure that LSRs submitted before 3:00 p.m. (the deadline by which, under BellSouth's procedures, CLECs must submit an LSR in order for that LSR to be provisioned on the same day) will receive a same-day due date. For many of these orders, BellSouth will ultimately assign the following day as the due date, rather than the due date requested by the CLEC.[27] Moreover, it is likely that in many instances CLECs will discover the incorrect due date before BellSouth conducts its next review and will therefore contact BellSouth to ensure that the correction is made, expending time and resources on a task that would be unnecessary if the due date calculator worked properly.

87. Because of the inherent shortcomings in BellSouth's workaround, AT&T has used an alternative Line Level Activity Type Code on its UNE-P orders in order to avoid the assignment of extended or otherwise erroneous due dates by the BellSouth due date calculator. Under normal ordering procedures, AT&T would use Line Level Activity Type "V" (migration as is, with changes), which requires AT&T to list only the services or features ordered by the customer that differ from those that the customer has been receiving from BellSouth. AT&T

[27] BellSouth's "workaround" process appears to assume that an order assigned an extended due date will flow through its systems. However, if the order does not flow through, the due date that BellSouth assigns to the order will often be later than the due date it assigns for retail customers ordering the same service on the same day, because BellSouth takes an average of 18 hours to return a FOC on a partially mechanized order. The assignment of an erroneous due date only compounds that delay, since the CLEC would be required to contact BellSouth to correct the due date after receiving the FOC.

found, however, that when it used Line Level Activity Type "G" (migration as specified) on UNE-P LSRs, BellSouth did not return extended due dates on FOCs for UNE-P orders that requested standard intervals. As a result, AT&T has used Line Level Activity Type "G" on its UNE-P LSRs since December 2001.

88. Although it avoids the assignment of erroneous due dates by BellSouth's due date calculator, AT&T's use of a different Line Level Activity Type has required AT&T to incur considerable time and expense. Because it treats the orders as "migrations as specified," AT&T is required to insert on the LSR every feature and service that the customer has requested, regardless of whether the customer is already taking these features and services from BellSouth. Thus, AT&T's use of Line Level Activity Type "G" requires more time and effort to complete LSRs than would have been the case if the orders were treated as "migrations-as-is, with changes."

89. Regardless of whether they rely on BellSouth's workaround or (like AT&T) use an alternative Line Level Activity Type, CLECs are denied parity of access. In both cases, CLECs lack the same automated due date capability as BellSouth's retail operations. In the case of BellSouth's workaround, CLECs have no assurance that their customers will receive service on the same day as a BellSouth retail customer who orders the same service at the same time. Although a CLEC may receive correct due dates when it uses an alternative Activity Type, it does so only by incurring costs that BellSouth does not incur in its retail operations.

90. BellSouth asserts that its workaround (and the "double FOC" situation that it causes) applies only to "a small and declining number of orders." Application at 32; *see also* Stacy/Varner/Ainsworth Aff., ¶ 149. The data that BellSouth offers to support that assertion,

however, are inherently suspect. As shown in the table attached hereto as Attachment 10, the number of LSRs reported by BellSouth in its analysis of the "declining" percentage of "double FOCs" does not match the total volumes of LSRs that BellSouth reported in its monthly flow-through reports for September through December 2001. *Compare* Attachment 10 *with* Stacy/Varner/Ainsworth Aff., ¶ 149. Most notably, for some months the number of UNE-P requests that BellSouth describes in its "double FOC" analysis is *higher* than the total number of UNE LSRs reported in the monthly flow-through reports – even though precisely the opposite should be the case, since UNE-P orders are a subset of UNE orders.

91. Moreover, even if accurately calculated, BellSouth's data understate the nature of the problem caused by the deficiencies in its due date calculator. The percentages of LSRs receiving double FOCs described by BellSouth do not include those LSRs submitted by AT&T and any other CLEC that has avoided the assignment of erroneous due dates (and the issuances of double FOCs) by using Line Level Activity Type "G" or some other alternative procedure.[28] Nor would BellSouth's percentages include those LSRs that its HITTOPS program did not capture at all.

92. As an alternative response to the Commission Staff's concern regarding double FOCs, BellSouth states that it has corrected the problem through implementation of Release 10.3.1 on February 2, 2002, and concluding with Release 10.3.2 on February 9, 2002. Release 10.3.2 purportedly implements the corrections to the automated due date calculator

[28] According to the data provided by BellSouth – which, again, understate the true extent of the problem – BellSouth returned double FOCs on more than [*******] of AT&T's UNE-P orders during December 2001 (the month when AT&T began using a different Line Level Activity Type). *See* Stacy/Varner/Ainsworth Aff., Exh. SVA-62.

requested in AT&T's Change Release 0520. Stacy/Varner/Ainsworth Aff., ¶¶ 146-147. Because these changes were implemented only 3 weeks ago, it is too soon to determine whether the calculator finally provides the equivalent due date capability that the Commission required BellSouth to provide more than three years ago.[29]

II. BELLSOUTH STILL FAILS TO PROVIDE NONDISCRIMINATORY ACCESS TO ORDERING AND PROVISIONING FUNCTIONS.

93. BellSouth contends that; (1) its flow-through rates are "improving"; (2) it "has ensured that where manual handling is necessary, CLECs still have a meaningful opportunity to compete" and (3) its "concentrated efforts to improve service order accuracy" have "paid off." Application at 25-26. In reality, however, BellSouth's performance in these areas remains as deficient in these areas as it was when it filed its first 271 application last October.

94. As before, BellSouth's reliance on manual processing is excessive. Moreover, the high rate of manual processing continues to result in the denial of nondiscriminatory access, including the return of status notices in an untimely manner and an unacceptably low rate of service order accuracy. Finally, BellSouth still has not shown that it is capable of provisioning orders accurately.

[29] On February 25-26, 2002, AT&T conducted limited testing (involving three transactions) using the BellSouth one date calculator. Although the due dates returned were accurate, it would be premature to conclude that BellSouth's new corrections have fully eliminated the preexisting defects in the calculator, given the limited nature of the testing and the very recent implementation of the corrections. Even if the due date calculator consistently provides accurate due dates as a result of BellSouth's recent "fixes," the calculator will be useful to CLECs only if it is consistently operational. In its third-party test of the OSS in Florida, however, KPMG found that when it attempted to calculate due dates using the RoboTAG™ interface, it experienced server error that disabled the due date functionality. Rather than receive due dates, KPMG received a message from BellSouth stating that it could not calculate the due date and that the due date would be returned on the FOC. KPMG Observation 146, dated November 30, 2001 (attached hereto as Attachment 11). That observation is still open.

A. BellSouth Continues To Place Excessive Reliance on Manual Processing.

95. Flow-through is a critical issue for CLECs because the concept of flow-through applies to both CLECs and to BellSouth's own retail LSRs. BellSouth's retail operations submit electronic LSRs that are capable of flowing through up to 100 percent of the time for every service, product, or transaction used in its retail operations. For example, BellSouth's reported monthly flow-through rate for residential retail orders in October, November, and December 2001 was 94 percent or higher. Varner Supp. Aff., Exhs. PM-9 - PM-11.[30] Because that percentage includes service representative input errors, the actual flow-through capability of BellSouth's retail operations is nearly 100 percent.

96. Unless their orders flow through BellSouth's systems at the same nearly 100 percent rate as BellSouth's retail systems, CLECs do not have a meaningful opportunity to compete. Electronic LSRs that flow through are more likely to be processed more quickly, accurately, and at less cost by BellSouth than manually processed LSRs. As a result, flow-through provides benefits to consumers, including less time on the phone placing orders, earlier

[30] Although the Georgia PSC has required BellSouth to resume reporting of its flow-through rates for retail business orders (as it did before March 2000), BellSouth has failed to do so – thus concealing its performance from regulators and the industry. However, BellSouth's witnesses have repeatedly testified in State regulatory proceedings that its business retail orders have a flow-through capability of nearly 100 percent, and that 98 or 99 percent of BellSouth's retail products and services can be ordered electronically through BellSouth's RNS or ROS interfaces, which then transmit the requests electronically to SOCS (BellSouth's service order processor). When BellSouth did report flow-through data for retail business orders, such data demonstrated that the retail business flow-through rate then was more than 80 percent and the weighted residential/business retail result was over 90 percent. Since that time, BellSouth has replaced its retail business order input system to obtain greater operational efficiency. Both the business-specific and weighted BellSouth flow-through rates have undoubtedly improved – a fact that BellSouth is plainly attempting to withhold by disregarding the GPSC's order.

due dates, lower risk of inaccurate provisioning, and ultimately lower prices because of lower order processing costs.

97. By contrast, the manual processing of orders adversely affects CLECs and consumers in several important respects. First, because BellSouth takes approximately 18 hours, on average, to return a rejection notice or FOC for a manually processed order (as compared to an average of 15 minutes for an order that flows through), CLECs wishing to learn the status of their orders during this interval have been required to notify the LCSC – thus expending additional time and incurring additional costs.[31] Second, because of the lengthy time that BellSouth takes to return FOCs and rejection notices on electronically submitted but manually processed ("partially mechanized") LSRs, due dates for such LSRs are likely to be later than those for orders that flow through ("fully mechanized LSRs"). Third, partially mechanized orders face the risk that BellSouth representatives will make input errors during manual processing – and that customers will receive service different from that which they actually requested. Fourth, manually processed orders increase the costs of both BellSouth and of CLECs, which are denied the benefits of their substantial investment in electronic systems. *See* Bradbury Opening Decl., ¶¶ 61-72.

[31] On February 2, 2001, BellSouth implemented the first phase of the "Order Tracking" change request submitted by AT&T in 2000. This new capability provides status on orders that have not yet received a firm order confirmation via a web site. The effectiveness of this new tool, however, has yet to be determined. Moreover, the new capability will not provide status on all types of orders until the completion of additional phases, the last of which is not scheduled until November 2002. Although use of this tool is preferable to calling the LCSC to determine order status, it is not the same as having equal flow-through capability, particularly since it requires CLECs to take an additional step to determine order status that is not required of BellSouth's retail operations.

98. As previously noted, BellSouth contends that its flow-through rates have been "improving." *See* Application at 25; Stacy/Varner/Ainsworth Aff., ¶ 92. The reality, however, is quite different. BellSouth's portrayal of "improvement" results solely from its selective use of the flow-through rates for June 2001 as the basis for comparison. *Id.* As Mr. Bradbury has previously testified, BellSouth revised those rates downward *twice* as a result of alleged errors in the originally reported rates. *See id.*; Bradbury Reply Decl., ¶¶ 37-50 (describing effect of BellSouth's revisions on June 2001 rates and lack of merit in BellSouth's explanations for such revisions).

99. When all of the monthly rates for 2001 are examined, it is clear that the flow-through rates used by BellSouth for its comparison (the "CLEC Error Excluded Rates") have shown no, or little, improvement during the year. For residential resale orders, the CLEC flow-through rate in December (89.5 percent) was *lower* than that in January (91.35 percent). *See* Varner Supp. Aff., Exh. PM-7 (F.1.1.3). For UNE LSRs, the flow-through rate of 82.67 percent in December was only slightly higher than the January 2001 rate of 80.89 percent. *Id.* (F.1.1.5). For business resale orders, the December rate of 74.07 percent was lower than the November rate of 75.18 percent, and only a modest improvement over the 64.87 percent rate in January 2001. *Id.* (F.1.1.4). In addition, *none* of the December 2001 rates cited by BellSouth met the benchmarks set by the Georgia and Louisiana PSCs – 95 percent for residential resale orders, 90 percent for business resale orders, and 85 percent for UNE orders.[32]

[32] Similarly, the aggregate "CLEC Error Excluded Rate" of 87 percent in December 2001 was lower than the 88.57 percent rate for January 2001. *See* Varner Supp. Aff., Exh. PM-7 (F.1.1.1).

100. BellSouth's comparison is also misplaced because the "CLEC Error Excluded Rate" that it uses does not meet the Commission's requirement that flow-through be measured by considering only those manually processed orders that fall out only because of BellSouth's failure to design those orders to flow through or because of errors in BellSouth's system design. Only the "Achieved Flow-Through" rate, which includes such orders in the calculation while excluding all manual fall-out due to errors made by CLECs on their LSRs, meets that requirement. *See* Bradbury Opening Decl., ¶¶ 78-80.[33]

101. Like its CLEC Error Excluded Rates, however, BellSouth's Achieved Flow-Through Rates have not shown improvement during 2001. The aggregate Achieved Flow-through Rate was 76.29 percent in December 2001 – a decline from the rate of 79.54 percent in January. For resale residential orders, the December Achieved Flow-Through rate of 81.62 percent was lower than the January rate of 85.70 percent. For business resale orders, the December rate of 52.52 percent was higher than the January rate (45.48 percent), but lower than the highest monthly rate of 2001 (52.81 percent, for August). Finally, the Achieved Flow-Through Rate of 68.10 percent for UNEs in December, although slightly higher than the corresponding January rate (63.83 percent), but little different from the 68.96 percent rate reported for August. *See id.* (F.1.2.2 – F.1.2.5).[34]

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[33] Because of the different methodologies used to calculate them, the CLEC Error Excluded Rate is higher than the Achieved Flow-Through Rate. The differences in the rates for Local Number Portability ("LNP") orders is particularly illustrative. For October, November, and December 2001, the CLEC Error Excluded Rates for LNP orders were 89%, 91%, and 88%, respectively. By contrast, the Achieved Flow-Through Rates for LNP orders for the same months were 51%, 55%, and 48%, respectively. *See* Varner Supp. Aff., Exhs. PM-9-PM-11.

[34] The charts attached hereto as Attachment 12 show that there has been no improvement in the CLEC Error Excluded Rate ("Flow Through"), or in the Achieved Flow-Through Rate, in 2001.

102. In short, the percentage of electronically submitted orders that fall out for manual processing by BellSouth has not improved during 2001. In December 2001, for example, 20 percent of electronically submitted orders (other than orders for local number portability), and 43 percent of electronically submitted LNP orders, fell out for manual processing due to BellSouth system design or to BellSouth system error. When combined, the total volume of manual fall-out caused by BellSouth design and system failure in December was 21 percent – which is the same rate as in January 2001. *See* Bradbury Opening Decl., ¶ 83. In fact, the December rate was either less than, or only equal to, the rates in January, March, April, May, August, September, October, and November 2001. *See* Attachment 13 hereto.[35]

103. The high rate of manual fall-out imposes an enormous burden on the LCSC, which must manually process such orders. As shown in the table attached hereto as Attachment 15, in December 2001 a total of 133,677 LSRs were manually processed by the LCSC. Of that amount, 92,673 LSRs (or 69 percent of the total fall-out) were electronically submitted. Moreover, BellSouth system design or system errors accounted for 78,241 (or 84 percent) of all electronically submitted LSRs that fell out for manual processing. During the last three months of 2001, the LCSC manually processed a total of 427,121 LSRs, of which 296,269 (69 percent) were electronically submitted; BellSouth system design or system error accounted for 244,585 (or 83 percent) of the electronically-submitted LSRs that fell out for manual processing.

[35] The charts attached hereto as Attachment 14 demonstrate that the rates of manual fall-out due to BellSouth system design or system error did not improve, and that the rate of manual fall-out due to "CLEC error" did not increase, during 2001.